

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 21 1994

Returned to applicant for correction DEC 28 1994

Corrected application filed JAN 09 1995

Map filed Mar. 2, 1981 Proposed POD under 43277/Feb. 19, 1982 Existing POD, POU & Proposed POU under 44334

The applicant TONOPAH PUBLIC UTILITIES

P.O. Box 151 of Tonopah Nevada 89049

State and Zip Code No. hereby make application for permission to change the

Point of Diversion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit #44454, Certificate #11789

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is Underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.18 c.f.s. Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Municipal Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Municipal Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the NW 1/4 SW 1/4, Section 2, T. 3 N., R. 40 E.,

M.D.B. & M., from whence the Southwest corner of Section 2 bears S. 13° 52' 52" W., distance to a section corner. If on unsurveyed land, it should be stated.

1991.44 feet distant.

6. The existing permitted point of diversion is located within SE 1/4 NW 1/4, Section 13, T. 3 N., R. 42 E.,

M.D.B. & M., or at a point from which the SE corner of said Section 13 bears

S. 45° 44' 27" E., a distance of 3937.07 feet.

7. Proposed place of use Same as Item #8 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S 1/2 NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4 of Section 13, T. 3 N., R. 42 E., M.D.B. & M.;

Sections 25, 26, 27, 35, 36 and the E 1/2 E 1/2 and a portion of the NW 1/4 NE 1/4 of Section 28, the N 1/2 N 1/2 and portions of the S 1/2 NE 1/4 and NE 1/4 SE 1/4 of Section 34, T. 3 N.,

R. 42 E., M.D.B. & M.; and Sections 1 & 2 of T. 2 N., R. 42 E., M.D.B. & M.; Sections 30 & 31 of T. 3 N., R. 43 E., M.D.B. & M.

9. Use will be from January 1st to December 31st of each year.

10. Use was permitted from January 1st to December 31st of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) drilled well (Permit #51409), pump and motor.

to be installed. State manner in which water is to be diverted, i.e. diversion structure. ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$15,000.00

13. Estimated time required to construct works One (1) year, well is 12 3/4" diameter 300 ft. depth, test pumped to 1,000 gpm.

14. Estimated time required to complete the application of water to beneficial use One (1) year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

~~This water source is intended, with all other rights, to serve an estimated equivalent population of 10,000 people. For Proposed Point of Diversion, please use map filed in support of Permit #43277. For Existing Point of Diversion, Existing Place of Use & Proposed Place of Use, please use map filed in support of Permit #44454.~~

By s/Dennis Smith  
DENNIS SMITH  
3130 Silver Sage Dr., Suite 101  
Carson City, Nevada 89701

Compared sm/jk

Protested \_\_\_\_\_

DENIAL OF STATE ENGINEER

~~THIS APPLICATION HAS BEEN EXAMINED AND FOUND TO BE IN VIOLATION OF THE FOLLOWING CONDITIONS:~~

This application is hereby denied on the grounds that the applicant and its agent have failed to provide evidence of a continued interest in pursuing said application, and without this information granting the application would threaten to prove detrimental to the public interest.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed \_\_\_\_\_ cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before \_\_\_\_\_

Proof of completion of work shall be filed before \_\_\_\_\_

Application of water to beneficial use shall be made on or before \_\_\_\_\_

Proof of the application of water to beneficial use shall be filed on or before \_\_\_\_\_

Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 26th day of February

A.D. ~~19~~ 2002

Hugh Ricci, P.E.  
State Engineer